

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY
SPECIAL MEETING AND PUBLIC HEARING MINUTES
CITY OF RENTON PARK TERRACE ANNEXION (FILE NO. 2186)
MAY 24, 2005

SPECIAL MEETING/PUBLIC HEARING (CONTINUED)

I. CALL TO ORDER

Judy Tessandore, Chair, convened the meetings of May 24, 2005 at 7:00 PM.

II. ROLL CALL

The following members were present at the Special Meeting and Public Hearing:

Angela Brooks	Charles Booth
Robert Cook	Jim Denton
Lynn Guttman	Roger Loschen
Michael Marchand	

III. PUBLIC HEARING

INTRODUCTION:

Chair Tessandore stated that the Boundary Review Board is charged with the task of providing independent review and decision-making with respect to applications for municipal annexation. Chair Tessandore opened the meeting by stating the standards for a quasi-judicial public hearing and the scope of the hearing.

Chair Tessandore reported that purpose of the Special Meeting is to conduct a Public Hearing on the Park Terrace Area Annexation (7.86 acres), based on an initially proposal submitted by the City of Renton to the Boundary Review Board in February 2005 and an invoking of jurisdiction by the City of Renton (in March 2005) to modify the Park Terrace Annexation Area by the addition of 80 acres – for a total annexation of 88 acres.

The City requested that the Board consider the proposed Park Terrace Area (Expanded) based upon the following factors:

- The proposed annexation of the Park Terrace Area (Expanded) is located within Renton's Potential Annexation Area
- The inclusion of Park Terrace (Expanded) in the City of Renton would reportedly provide more practical boundaries and logical area for community governance.
- The inclusion of Park Terrace (Expanded) in the City of Renton would reportedly provide more practical boundaries and logical area for services to the community.

More specifically: the City of Renton is reportedly able to provide a full range of services to Park Terrace (Expanded.) At present, the City of Renton is the designated service provider for fire services and sewer services for the entirety of the Park Terrace Area. Further, the City currently provides these services to the Park Terrace Annexation Area and to the Park Terrace Area (Expanded.)

- The State Growth Management Act and the King County Comprehensive Plan both establish local jurisdictions as the appropriate units to govern urban areas.

On May 23, 2005, the Boundary Review Board reviewed the initial Park Terrace Annexation. At the conclusion of the Special Meeting/Public Hearing, the Board voted unanimously to continue the public hearing to review Renton's proposal for the Park Terrace Area (Expanded) Annexation. The continued Special Meeting/Public Hearing was scheduled for May 24, 2005.

PROPONENT PRESENTATION: City of Renton – Donald Erickson, Senior Planner –
Community Development & Strategic Planning

On behalf of the City of Renton, Mr. Erickson presented a statement concerning the proposed Park Terrace Area (Expanded) Annexation. Mr. Erickson responded to inquiries by the Boundary Review Board members. Following is a summary of the statement (including responses to inquiries).

Mr. Erickson reported that the City of Renton did not initially propose the annexation of the entire Park Terrace Area (Expanded) (88 acres) territory because it is the policy of the City only to apply to annex those properties whose owners seek to join the city. The City applies this policy to endeavor to address the will of the community.

The City of Renton subsequently invoked jurisdiction to seek annexation of the Park Terrace Area (Expanded) pursuant to the Renton Comprehensive Plan based upon the fact that the City Plan includes the Park Terrace Area (Expanded) as a Potential Annexation Area. Renton's Comprehensive Plan policies support the City as the jurisdiction which will govern and serve the Park Terrace Area (Expanded).

Further, the State Growth Management Act, King County Comprehensive Plan/King County Annexation Initiative support incorporation of potential annexation areas at the earliest feasible time to ensure greater efficiency of governance and service. The rate and efficiency of governance is limited by incremental annexation.

Mr. Erickson stated that the greater interest of the community would also be served by annexation of the entire Park Terrace Area (Expanded). Although a previous effort to encourage citizens to launch an annexation of the greater Park Terrace Area did not gain the support of a majority of the citizens, the support for annexation by 47% of the voters is considered to provide a reasonable level of interest in joining the City of Renton.

Mr. Erickson reported that more than 80% of the Park Terrace Area (Expanded) boundaries are adjacent to the City. The Park Terrace Area (Expanded) is entirely contiguous to the City of Renton on its northern and western boundaries. The Park Terrace Area (Expanded) is contiguous, in part, to the City of Renton on its southern and eastern boundaries. The Park Terrace Area (Expanded) boundaries are more specifically described as follows:

- The northern boundary is formed by SE 110th Place (if extended)
- The southern boundary is formed by NE 6th Place (if extended)
- The eastern boundary is variously formed by 140th Avenue SE (Bremerton Avenue NE), 142nd Avenue SE (Hoquiam Avenue NE); 146th Avenue SE (Jericho Avenue NE).
- The western boundary is variously formed by Anacortes Avenue NE and 138th Avenue SE/Duvall Avenue NE.

Mr. Erickson stated that the proposed Park Terrace Area (Expanded) is consistent with the State Growth Management Act (RCW 36.70A) which encourages governance and service of urban areas by local jurisdictions.

Mr. Erickson stated that the proposed annexation of the Park Terrace Area (Expanded) Area is, similarly, consistent with the King County Comprehensive Plan/Countywide Planning Policies. More specifically, the Park Terrace Area (Expanded) was proposed based upon King County Policy LU-32, which states that a city may annex territory only within its designated potential annexation area. LU-32 also states that all cities shall phase annexations to coincide with the ability of the city to coordinate the provision of a full range of urban services to areas annexed. Further, the Park Terrace Area (Expanded) is consistent with Land Use Policies LU-36 and LU-37 pertaining to encouraging annexations in areas where urban infrastructure and services are available for development at urban densities and in areas contiguous to City boundaries.

Mr. Erickson described the existing Park Terrace Area (Expanded) (88 acres) as a community with both developed and vacant lands. The Park Terrace Area (Expanded) currently includes approximately 130 residential dwellings (including single-family and multi-family homes). There is considerable pressure for new development in the community.

The City of Renton has planned for growth at urban levels of density and has established standards to guide ongoing uses and new development on the Park Terrace properties following annexation. The City has designated the Park Terrace (Expanded) Area for Residential Use – Low to Moderate Density. Thus, in the City of Renton, the Park Terrace Area (Expanded) would be designated for development of eight dwelling units – ten dwelling units per net acre. This density level is generally equivalent to the density level permitted by King County (i.e., four dwelling units – six dwelling units per gross acre).

Mr. Erickson also noted that the Park Terrace Area (Expanded) now includes public uses – e.g., churches and open spaces – that would continue to be permitted in this community.

The Park Terrace Area (Expanded) also includes a natural environment characterized by variable topography and vegetated areas. In order to preserve these areas, the City of Renton is prepared to provide environmental review for the annexation area based upon local, regional and state regulations for protection of sensitive areas.

Mr. Erickson further reported that the City of Renton is prepared to provide a full range of urban services to the Park Terrace Area (Expanded) – either directly or by contract -- immediately upon annexation. The City of Renton will provide police services. The City will provide sewer service, storm water management, and refuse collection. The City will continue to contract with Fire Protection District No. 25 to provide fire service and emergency service. King County Water District No. 90 will continue to provide water service to the Park Terrace Annexation Area.

Library facilities and recreation facilities would be available to the community. Children would attend schools in Renton School District No. 403.

Mr. Erickson reported that the City of Renton has conducted fiscal analyses related to the proposed Park Terrace Area (Expanded). This analysis considered all developable parcels and was based upon an estimated average assessed valuation. Based upon that analysis at current development revenue is \$139,782 and costs are \$146,384. At full development, revenue would be \$279,450 and costs would be \$273,350.

The net fiscal impact of the incorporation of the greater Park Terrace Area (Expanded) to the City of Renton without new development is an estimated cost of \$6000 per year. At full development, this deficit would turn into a surplus of \$6000 per year to the City (in 2005 dollars).

Based upon this fiscal analysis, the City has determined that sufficient funds exist to serve Park Terrace Area (Expanded). More specifically, the addition of the Park Terrace Area (Expanded) is not expected to have a significant impact on City costs for governance, adequacy of services, finances, debt structure or rights of other governmental units. Upon annexation, property owners will assume their share of the regular and special levy rate of the City for capital facilities and public services. Future capital needs and costs will be examined and funded through the Renton Capital Investment Program.

Mr. Erickson further reported that the annexation of the Park Terrace Area (Expanded) would be consistent with the Boundary Review Board Objectives. More specifically:

1. **Preservation of natural neighborhoods and communities:** The Park Terrace Area (Expanded) annexation preserves an existing, well-defined neighborhood. Incremental annexation of this Area would divide the community.
2. **Use of Physical boundaries, including but not limited to bodies of water, highways, and land contours:** The proposed Park Terrace Area (Expanded) annexation abuts the City of Renton along its northern and western boundaries. The proposed Park Terrace Area (Expanded) annexation abuts King County along its eastern and southern boundaries. If approved the Park Terrace Area (Expanded) makes good use of existing physical boundaries including 140th Avenue SE (Bremerton Avenue NE), 142nd Avenue SE (Hoquiam Avenue NE); 146th Avenue SE (Jericho Avenue NE); Anacortes Avenue NE; and 138th Avenue SE/Duvall Avenue NE.

Note: A separate Notice of Intention is underway for an action (Hoquiam Annexation) which would incorporate lands immediately to the south of the Park Terrace Area (Expanded).

3. **Creation and preservation of logical service areas:** Service to Park Terrace Area (Expanded) would be improved by placing the entire area under a single municipal jurisdiction for provision of public services, including, police, fire, emergency aid, sewer, water, storm water management, and roads. Coordinated services should benefit the Park Terrace Area (Expanded).
4. **Prevention of abnormally irregular boundaries:** The proposed boundaries of the Park Terrace Area (Expanded) are not “abnormally” irregular. In fact, these boundaries would be much more regular than those boundaries proposed in the initial Park Terrace Annexation. The Park Terrace Area (Expanded) boundaries would be consistent with Renton’s Potential Annexation Area boundaries.
5. **Discouragement of multiple incorporations of small cities ... urban areas:** Not applicable.
6. **Dissolution of inactive special purpose districts:** There are no known inactive special purpose districts in this area.
7. **Adjustment of impractical boundaries:** The Park Terrace Area (Expanded) Annexation, as a single, unified action, would create more reasonable and practical boundaries for governance and service. This modified annexation would eliminate the need for future incremental actions to govern and serve the Potential Annexation Area.
8. **Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character:** King County has designated this area for urban development because of its location within the Urban Growth Area boundary. The County has also indicated a preference for immediate annexation of urban areas to provide for local governance and services.
9. **Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority:** No portions of the proposed annexation are designated for long term productive agricultural use in either the King County or Renton Comprehensive Plans.

KING COUNTY: King County Office of the Executive: Michael Thomas, Senior Policy Analyst

On behalf of the King County Office of the Executive, Michael Thomas presented King County's support for the City of Renton proposal to annex the entire 88-acre proposed Park Terrace Area (Expanded). Mr. Thomas reported that King County plans and policies call for annexation of lands within the Urban Growth Area. The King County Plan stipulates that annexations should occur at the earliest feasible date -- when cities have land use plans, service plans, and service resources available.

Mr. Thomas stated that the County supports the annexation of the entire Park Terrace Area (Expanded) because Renton's Comprehensive Plan establishes the City's commitment to annexation of the entire Park Terrace Area. The City of Renton has extended great effort to plan to govern, develop, protect, and serve the area as a unified community.

RCW 36.93.150 clearly allows the Boundary Review Board to approve the comprehensive annexation. The incorporation of the Park Terrace Area (Expanded) is also consistent with other state, regional and local guidelines

Mr. Thomas reported that the County Executive believes that the interests of citizens of the entire Park Terrace Area are best served by immediately joining the City of Renton, as consolidated annexation promotes coordinated governance. Mr. Thomas stated that the City needs to be able to rely upon a reasonable plan for land annexation.

GENERAL TESTIMONY:

Four property owners and residents of the Park Terrace Area testified concerning the proposed annexation of the 88-acre territory. The testimony generally favored the concept of annexation to the City of Renton. There was considerable interest in affiliation with the City for purposes of participation in the governance of the community and obtaining reliable public services.

IV. REBUTTAL

Donald Erickson waived the opportunity to provide a rebuttal statement.

V. DETERMINATION OF THE STATUS OF THE PUBLIC HEARING

At the completion of public testimony for the Park Terrace Area (Expanded), Chair Tessandore instructed the Board with respect to procedures for closure (or continuation) of the hearing. The Board was provided with an option to continue the hearing to obtain more information or an option to close the hearing and to deliberate for a decision on the proposed action.

Roger Loschen moved and Charles Booth seconded a motion that the Boundary Review Board close the public hearing on the City of Renton proposal to expand the Park Terrace Annexation (7.86 acres) to include the Park Terrace Area (Expanded) (73 acres) for a total annexation of approximately 88 acres. The Board agreed by unanimous vote to close the public hearing.

Chair Tessandore invited the Board members to begin deliberations to consider annexation of the proposed Park Terrace/Park Terrace Area (Expanded) Annexation.

Roger Loschen moved and Charles Booth seconded a motion that the Boundary Review Board begin deliberations to consider the annexation into the City of Renton of the Park Terrace Area (Expanded) at approximately 88 acres. The Board voted unanimously in favor of the motion.

The Board members then began consideration of the motion to approve the Park Terrace Area (Expanded) annexation by posing inquiries as follows:

- Query 1: Was legally sufficient notification provided for the proposed Park Terrace/ Area (Expanded) public hearings before the Boundary Review Board?

Mrs. Blauman reported that, pursuant to RCW 36.93, public notices were published in the

Seattle Times (1 notice) and the King County News Journal (2 notices) for the Park Terrace Special Meeting/Public Hearing (May 23/24, 2005). Twenty notices were posted within the boundaries of the Park Terrace Area (Expanded). In addition, copies of the notice were sent to two citizens who requested permission to distribute notices in the local community.

- Query 2: Is the Board authorized to expand the initially proposed Park Terrace Annexation to include the proposed 88 acre Park Terrace Area (Expanded)?

Special Assistant Attorney General Robert Kaufman confirmed that RCW 36.93.150 authorizes the Boundary Review Board to modify (e.g., expand) Park Terrace Annexation Area if the Board members determine that such action is consistent with RCW 36.93, RCW 36.70A, the King County Comprehensive Plan, the Renton Comprehensive Plan, and other statutory mandates.

In the course of discussion concerning the options for annexation of the Park Terrace Area (Expanded) into the City of Renton, the Board members concurred that:

- Annexation of the Park Terrace Area (Expanded) would be consistent with the statutory authority of the Boundary Review Board. More specifically, the Boundary Review Board is required to evaluate an action based upon RCW 36.93 – the Board's Enabling Act. Specific criteria for evaluations are established in RCW 36.93.170 and RCW 36.93.180.

More specifically, the Board finds the Park Terrace Area (Expanded) annexation to be consistent with RCW 36.93.170, including (1) Population and Territory; (2) Municipal Services; and (3) Mutual Social and Economic Factors.

Additionally, RCW 36.93.180 (Objectives) are addressed as follows:

RCW 36.93.180	PARK TERRACE AREA (EXPANDED) (88 ACRES)
OBJECTIVE 1 – PRESERVATION NATURAL NEIGHBORHOODS AND COMMUNITIES	ADVANCES CRITERION AS ANNEXATION INCLUDES ALL PROPERTIES IN A NATURAL COMMUNITY
OBJECTIVE 2 – USE OF PHYSICAL BOUNDARIES (E.G., BODIES OF WATER, HIGHWAYS, AND LAND CONTOURS)	ADVANCES CRITERION AS IT COINCIDES WITH ESTABLISHED COMPREHENSIVE PLAN BOUNDARIES
OBJECTIVE 3 – CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS	ADVANCES CRITERION AS RENTON CAN SERVE ENTIRE AREA TO PROTECT PUBLIC WELFARE.
OBJECTIVE 4 – PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES	ADVANCES CRITERION AS REGULAR BOUNDARIES SUPPORT A UNIFIED COMMUNITY AND STREAMLINE SERVICE PROVISION
OBJECTIVE 5 – DISCOURAGEMENT OF MULTIPLE INCORPORATIONS	DOES NOT APPLY
OBJECTIVE 6 – DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS	DOES NOT APPLY
OBJECTIVE 7 – ADJUSTMENT OF IMPRACTICAL BOUNDARIES	ADVANCES CRITERION AS PRACTICAL BOUNDARIES ARE CREATED TO SUPPORT A UNIFIED COMMUNITY AND STREAMLINE SERVICE PROVISION
OBJECTIVE 8 – INCORPORATION AS CITIES OR ANNEXATION TO CITIES OF UNINCORPORATED AREAS WHICH ARE URBAN IN CHARACTER	ADVANCES CRITERION AS THE ENTIRE DESIGNATED URBAN AREA WILL BE INCORPORATED INTO A LOCAL JURISDICTION.
OBJECTIVE 9 – PROTECTION OF AGRICULTURAL AND RURAL LANDS	DOES NOT APPLY

- The Board is also required to consider RCW 36.70A (State Growth Management Act); the King County Comprehensive Plan; and statutes of the affected local jurisdiction – in this case the City of Renton.

Under State Growth Management Act guidelines, King County has designated the entire Park Terrace Area (Expanded) as an Urban Growth Area. The City of Renton has confirmed this urban designation for the Park Terrace Area (Expanded) in its Comprehensive Plan. Renton officials have stated that the City is willing to undertake annexation in order to govern and serve the Park Terrace Area (Expanded).

At the close of discussion, Chair Tessandore called for a motion to approve, the Park Terrace Annexation, as modified to include the entire Park Terrace (Expanded) Area (88 acres).

Charles Booth and moved and Lynn Guttman seconded a motion that the Boundary Review Board approve, with modifications the Park Terrace Annexation, to include the entire Park Terrace (Expanded) Annexation Area (88 acres) and to direct staff to prepare Resolution and Hearing Decision for presentation to the Boundary Review Board. The Resolution and Hearing Decision shall be presented to the Boundary Review Board for final action in July, 2005.

The motion was adopted by unanimous vote.

VI. ADJOURNMENT

Charles Booth moved and Jim Denton seconded a motion to adjourn the Special Meeting/Public Hearing of May 24, 2005. The motion passed by unanimous vote. Chair Tessandore adjourned the meeting at 7:50 P.M.